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### REMARKS

Responsive to the Office Action mailed May 4, 2006, Applicant has studied the Examiner's comments and the cited art. Claims 1, 3-11, 13-16, 21-23 and 25-36 are pending prior to entry of this Amendment. Following entry of this Amendment, claims 1, 3-11, 13-16, 21-23, 25-34 and 36 are pending.

Applicant wishes to thank Examiners Lee and Luebke for the personal interview with the undersigned on May 25, 2006, in which claims 1, 6, 10, 13, 21, 25, 27, 28 and 33 were discussed. Subject to further searching, claims 13 and 33, as amended herein, were indicated as likely being allowable and discussed further limitations with respect to the other independent claims, such as additional structure for the handle in claim 1 and relative motion between the handle and the light box.

In view of the interview and the following remarks, Applicant respectfully submits that the application is in condition for allowance.

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### Claim Objections

Claims 1, 6, 21, 25, 28 and 33-35 are objected to because of the following informalities:

- the uses of phrases "capable of" or "may be" render the claims indefinite because it is unclear whether the structural limitation following the phrases is part of the claimed invention (claims 1, 6, 21, 25, 28 and 33);

- the phrase "said first member and said handle portion define a first plane" renders the claims indefinite because there are numerous ways to define a plane based on the geometries of both a handle portion and a first member (e.g. based on the interface, the axis of the handle portion, etc.) (claims 28 and 33);

- the phrase "said battery receiving portion and said first member define a second plane" render the claim indefinite because there are numerous ways to define a plane based on the geometries of both a battery receiving portion and a first member (e.g. based on a surface of the battery receiving portion or the first member) (claim 34); and

- the phrase "said light-emitting portion is substantially transverse to said battery receiving portion" renders the claim indefinite because the word "transverse" requires at least two (one or two dimensional) geometrical information (such as axis, surface, line, etc.) from two pertinent parts (claim 35).

Applicant has deleted the phrases "capable of" and "may be" in claims 1, 6, 21, 25, 28 and 33.

Applicant has deleted the phrase "said first member and said handle portion define a first plane" and replaced it with "said first longitudinal centerline of said first member and said handle longitudinal centerline of said handle portion define a first plane" in claim 28. Similarly, applicant has deleted the phrase "said battery receiving portion and said handle portion define a first plane" and replaced it with "said longitudinal axis of said battery receiving portion and said longitudinal centerline of said handle portion define a first plane" in claim 33.

Applicant has deleted the phrase "said battery receiving portion and said first member define a second plane" and replaced it with "said longitudinal axis of said battery receiving portion and said longitudinal centerline of said first member define a second plane" in claim 34.

Claim 35 has been canceled without prejudice.

Applicant respectfully submits that all objections have been traversed.

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### **Section 102 Rejections**

Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Shannon, U.S. Pat. 1,893,108.

Claim 1 has been amended to include the feature of the handle portion and the lightbox being substantially parallel with one another and defining a hand receiving opening therebetween for receiving a portion of the user's hand.

Shannon does not teach or suggest such features. The lightbox (45) is not substantially parallel to the handle portion (1) and the two do not define a hand receiving opening therebetween for receiving a portion of the user's hand.

Applicant respectfully submits that claims 1, 3 and 5 are patentable over Shannon.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Brandt, U.S. Pat. 6,322,233.

Amended claim 1 includes the feature of the handle portion and the lightbox being substantially parallel with one another and defining a hand receiving opening therebetween for receiving a portion of the user's hand, and when the first member is substantially horizontal, the handle portion and the lightbox extend substantially vertically downward.

Brandt does not teach a hand receiving opening defined between a lightbox (26) substantially parallel with a handle portion (12). To the contrary, the first member (18) is between the handle portion (12) and the lightbox (26). Nor does Brandt teach that when the first member (18) is substantially horizontal, that both the handle portion (12) the lightbox (26) extend substantially vertically downward. Moreover, since Brandt requires that the lightbox be swung rotatably about the handle portion via the first member (18) during use of the light, a downwardly extending lightbox would likely interfere with the required swinging motion.

Applicant respectfully submits that claims 1 and 4 are patentable over Brandt.

Claims 13, 15, 25-27, 33 and 35-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhoades, U.S. Pat. 3,628,005.

As discussed in the personal interview on May 25, 2006, amended claim 13 includes the feature of a lightbox having a battery receiving portion and a light source oriented to emit a light beam in a direction substantially transverse to a longitudinal axis of the battery receiving portion.

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Rhoades neither teaches or suggests such a feature, nor is there any motivation to add such a feature to Rhoades.

Claim 25 has been amended to include the features of the battery receiving portion having a longitudinal axis, a handle member substantially parallel with the longitudinal axis of the battery receiving portion, and a light source directionally adjustable relative to the handle member such that when the handle member is in a stationary, substantially vertical orientation, the light source is directionally adjustable through 90 degrees of rotation in a horizontal plane.

Rhoades does not teach or suggest such features. Handle member (34) is substantially parallel with the longitudinal axis of the battery receiving portion (10), and the light source (16) is directionally adjustable relative to the handle member (34), however, when the handle member (34) is in a stationary, substantially vertical orientation, the light source (16) is not directionally adjustable through 90 degrees of rotation in a horizontal plane. Rhoades neither teaches or suggests such a feature, nor is there any motivation to add such a feature to Rhoades.

As discussed in the personal interview on May 25, 2006, amended claim 33 includes the feature of the assembly having a second position with the longitudinal axis of the battery receiving portion and the longitudinal centerline of the handle portion in the first plane and the directional light beam of the light-emitting portion is substantially transverse to the first plane during use. Rhoades neither teaches or suggests such a feature, nor is there any motivation to add such a feature to Rhoades.

Applicant respectfully submits that claims 13, 15, 25-27, 33 and 36 are patentable over Rhoades.

Claims 28, 29 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Nygard, U.S. Pat. 1,986,281.

Amended claim 28 includes the feature of a handle portion having a handle longitudinal centerline that is substantially perpendicular to a first member longitudinal centerline. Nygard neither teaches or suggests such a feature, nor is there any motivation to add such a feature to Nygard.

Applicant respectfully submits that claims 28, 29 and 31 are patentable over Nygard.

Claims 28 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Yu, U.S. Pat. 6,213,619.

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Amended claim 28 includes the feature of a handle portion having a handle longitudinal centerline that is substantially perpendicular to a first member longitudinal centerline and the feature of a second position with the first longitudinal centerline of the first member and the handle longitudinal centerline of the handle portion in the first plane and the directional light beam of the light-emitting portion during use is substantially transverse to the first plane. Yu neither teaches or suggests such features, nor is there any motivation to add such features to Yu.

Applicant respectfully submits that claims 28 and 30 are patentable over Yu.

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### Section 103 Rejections

Claims 6-9 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt in view of Parsons et al., U.S. Pat. 6,916,104.

Amended independent claim 6 includes the features of the light source being angularly repositionable relative to the handle member to adjust a vertical direction and a horizontal direction of the directional light beam such that during use a positioned directional light beam is angularly maintained with respect to the handle member.

Similarly, amended independent claim 21 includes the features of the light-emitting portion being directionally adjustable relative to the handle portion to adjust the vertical and horizontal directions of the directional light beam such that during use the adjusted directional light beam is directionally maintained with respect to the handle portion.

Neither Brandt or Parsons et al. teach or suggest such features. Brandt discloses a "mechanically-operated flashlight which utilizes centrifugal force to rotate a crank, the energy of which is turned into electrical power by an internal generator." Brandt, 1:30-33. During use, the Brandt "flashlight body 50 is grasped in one hand 52, and is rotated as indicated by the arrow 54. This motion swings the shaft 18 in accordance with the arrow 56, rotating the cap 16, turning the generator 12 and powering the bulb." *Id.* at 2:44-48. Thus, the Brandt light rotates about the handle during use. Parsons et al. is merely cited for disclosing a strap attached to a handle.

Clearly, neither Brandt or Parsons et al. teaches or suggests the features of the light source being angularly repositionable or directionally adjustable relative to the handle member to adjust vertical and horizontal directions of the directional light beam such that during use a positioned or adjusted directional light beam is angularly or directionally maintained with respect to the handle member.

Applicant respectfully submits that claims 6-9 and 21-23 are not obvious over Brandt in view of Parsons et al.

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osterhout et al., U.S. Pat. 5,019,951, in view of Penny et al., U.S. Pat. 4,345,304.

Amended claim 10 includes the features that the lightbox has a longitudinal axis and the handle portion is movable relative to the transverse member in a plane parallel to the longitudinal axis of the lightbox.

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Neither Osterhout et al. or Penney et al. teach or suggest such features. Osterhout et al. teaches and suggests a handle portion (14) movable relative to the transverse member (24) but not in a plane parallel to the longitudinal axis of the lightbox.

Applicant respectfully submits that claims 10-11 are not obvious over Osterhout et al. and Penney et al.

Claims 13-14, 16 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osterhout et al. in view of Rhoades.

Claim 13 has been amended to include the feature of a lightbox having a battery receiving portion and a light source oriented to emit a light beam in a direction substantially transverse to a longitudinal axis of the battery receiving portion.

Neither Osterhout et al. or Rhoades teaches or suggests a lightbox having a battery receiving portion and a light source oriented to emit a light beam in a direction substantially transverse to a longitudinal axis of the battery receiving portion.

Claim 33 has been amended to include the feature of the assembly having a second position with the longitudinal axis of the battery receiving portion and the longitudinal centerline of the handle portion in the first plane and the directional light beam of the light-emitting portion is substantially transverse to the first plane during use.

Neither Osterhout et al. or Rhoades teaches or suggests the feature of the assembly having a second position with the longitudinal axis of the battery receiving portion and the longitudinal centerline of the handle portion in the first plane and the directional light beam of the light-emitting portion is substantially transverse to the first plane during use.

Applicant respectfully submits that claims 13-14, 16 and 33-34 are not obvious over Osterhout et al. in view of Rhoades.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nygard in view of Booty, U.S. Pat. 5,558,430.

Claim 32 depends from amended claim 28 which applicant submits is allowable.

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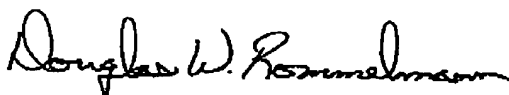
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**Conclusion**

Applicant respectfully submits that all issues and rejections have been adequately addressed, that the claims are allowable, and that the case should be advanced to issuance.

If the Examiner has any questions or wishes to discuss the claims, applicant encourages the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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